

REMARKS

STATUS OF CLAIMS

Claims 17-28 have been cancelled. Claims 1 and 2 have been amended. Thus, Claims 1-3, 8-9, 11, and 15-16 are currently pending in the application.

ELECTIONS/RESTRICTIONS

The Office Action states that newly submitted Claims 17-28 are directed to an invention that is independent or distinct from the invention originally claimed. More specifically, Claims 1-3, 8-9, 11, and 15-16 are drawn to Invention I, regarding the protection of MFPs through the monitoring or scanning of existing data, Claims 17-19 are drawn to Invention II, regarding the protection of MFPs through scanning of incoming requests, and Claims 20-28 are drawn to Invention III, regarding scanning of information sent from the MFP to other devices in the network.

The Office states that Invention I has been constructively elected because the claims drawn to Invention I were originally presented for prosecution on the merits. Applicant hereby elects Invention I with Claims 1-3, 8-9, 11, and 15-16, and has cancelled Claims 17-28 that are drawn to Inventions II and III.

SUMMARY OF THE REJECTIONS/OBJECTIONS

Claims 1-3, 8-9, 11 and 15-16 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. More specifically, Claim 1 includes limitations regarding a scan process and a print process that do not provide the specificity as claimed in Claim 1.

In response, Applicant has amended Claim 1 so that the limitations presented are within the specificity as described within the written description. Thus, Applicant requests that the rejection is respectfully withdrawn.

RESPONSE TO REJECTIONS BASED ON THE PRIOR ART

Claims 1-3, 8-9, 11, and 15-16 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2004/0193895 by Kaneko (“*Kaneko*”). The rejections are respectfully traversed. It is respectfully submitted that Claims 1-3, 8-9, 11, and 15-16 are patentable over *Kaneko* for at least the reasons provided hereinafter.

CLAIM 1

Claim 1, as amended, recites:

“A multi-function peripheral device comprising:
a network interface configured to allow the multi-function peripheral device to communicate with network devices over a network;
a graphical user interface configured to allow for the exchange of information between the multi-function peripheral device and a user, wherein the information comprises configuration data for a virus protection process;
one or more processors;
a memory;
a scan process configured to scan one or more documents at the multi-function peripheral device;
a print process configured to print one or more documents at the multi-function peripheral device; and
the virus protection process executing in the memory and being configured to perform the steps of:
examine data stored on non-volatile memory of the multi-function peripheral device based upon the configuration data for the virus protection process;

based on examining the data, detect that one or more unauthorized instructions are stored on the non-volatile memory of the multi-function peripheral device; and
in response to detecting that the one or more unauthorized instructions have been stored on the non-volatile memory of the multi-function peripheral device:
perform one or more actions to address the one or more unauthorized instructions that have been stored on the non-volatile memory of the multi-function peripheral device based upon the configuration data for the virus protection process.” (emphasis added)

At least the above-bolded elements of Claim 1 are not anticipated by *Kaneko*. Claim 1 recites **“a graphical user interface configured to allow for the exchange of information between the multi-function peripheral device and a user, wherein the information comprises configuration data for a virus protection process.”**

The Office Action asserts that *Kaneko* anticipates this limitation in paragraphs [0029] – [0029]. However, a graphical user interface is not mentioned anywhere within the cited paragraphs, much less a graphical user interface configured to allow for the exchange of information such as configuration data for a virus protection process. The configuration for the virus protection process creates distinct advantages as this allows the user to configure the virus protection to perform as he or she intends. Some configurations may be to perform a check at various frequencies, times or in the background or foreground to be less obtrusive to other processes. *Written Specification*, [0026]. Thus, at least one limitation has not been anticipated by *Kaneko*.

Claim 1 further recites **“examine data stored on non-volatile memory of the multi-function peripheral device based upon the configuration data for the virus protection process.”** The Office Action states that this limitation is anticipated by paragraphs

[0030], [0035], and [0037] in *Kaneko*. In *Kaneko*, the file scan that seeks out viruses is based upon a file list. “File scan 222 judges one or more files, which are not included in file list 241 among files whose existence are confirmed, as illegal files caused by computer virus.”

Kaneko, [0035]. This file list is “set up prior to the factory shipment ... and [is] stored on the hard disk.” *Kaneko*, [0043]. As the file scan in *Kaneko* relies upon files set up prior to the factory shipment, the data examination may not be “based upon the configuration data for the virus protection process” as is recited in Claim 1. As such, at least one limitation has not been anticipated by *Kaneko*.

Claim 1 also recites “**perform one or more actions to address the one or more unauthorized instructions that have been stored on the non-volatile memory of the multi-function peripheral device based upon the configuration data for the virus protection process.**” The Office Action alleges this limitation is anticipated in *Kaneko* in paragraphs [0030] and [0035]. Claim 1 allows one or more actions to address discovered unauthorized instructions. These actions may include restoring data changed by a virus to a prior state or to quarantine or delete data affected by a virus. *Written Specification*, [0028]. Whatever action performed is “based upon the configuration data for the virus protection process.” *Kaneko*, however, is far more limiting as only pre-configured actions are performed. “One or more files that are judged as illegal files are deleted or isolated into isolation folder 226.” *Kaneko*, [0037]. None of these actions are based upon configuration data that may be changed by the user. Specifying the action to be performed creates an advantage as some users may wish to repair the infected file by restoring the data to a prior state rather than performing a quarantine or deletion of the file that may cause adverse effects to the function of the MFP. *Written Specification*, [0028].

As at least one element of Claim 1 is not taught or suggested by *Kaneko*, it is respectfully submitted that Claim 1 is patentable over the cited art and is in condition for allowance.

CLAIMS 2-3, 8-9, 11, AND 15-16

Claims 2-3, 8-9, 11, and 15-16 are dependent claims, each of which depends directly on Claim 1 discussed above, and thus include each and every feature of the corresponding independent Claim. Each of Claims 2-3, 8-9, 11, and 15-16 is therefore allowable for the reasons given above for Claim 1. In addition, each of Claims 2-3, 8-9, 11, and 15-16 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants reserve the right to further point out the differences between the cited art and the novel features recited in the dependent claims. Therefore, it is respectfully submitted that Claims 2-3, 8-9, 11, and 15-16 are allowable for the reasons given above with respect to Claim 1.

CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. After entry of the amendments, further examination on the merits is respectfully requested.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,
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